



PATENT
Customer No. 22,852
Attorney Docket No. 02481.1702-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bernward SCHÖLKENS et al.

Application No.: 09/645,556

Filed: August 25, 2000

**For: PHARMACEUTICAL
FORMULATIONS AND USE
THEREOF IN THE PREVENTION
OF STROKE, DIABETES AND/OR
CONGESTIVE HEART FAILURE**

Group Art Unit: 1615

Examiner: Unassigned

TECH CENTER 1600/2900

OCT 17 2001

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**Assistant Commissioner for Patents
Washington, DC 20231**

Sir:

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE

STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events in Section 1.97(b), but before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by section 1.97(c).

Each document listed was first cited in a communication from the European Patent Office in a counterpart foreign application, and this statement is being filed within 3 months of the mailing date of that communication.

Copies of the listed documents are attached.

For the non-English language document DE 4308504, applicants enclose a Derwent Abstract.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 12, 2001

By: 

Steven J. Scott
Reg. No. 43,911